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9 Attorneys for Defendants

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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 JAYLA JOHNSON and UNIQUE WILSON,

CASE NO.:

14 Plaintiffs,

15 vs.

PETITION FOR REMOVAL

16 RICHARD LEON PEREZ; WAL-MART
17 TRANSPORTATION, LLC; DOES I through X,
18 inclusive and ROE BUSINESS ENTITIES I
through X, inclusive,

19 Defendants.
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21 TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR
22 THE DISTRICT OF NEVADA:

23 Defendants respectfully petition the Court for an Order removing the above-entitled action to
24 the United States District Court and allege as follows:

25 1. Mr. Perez and Wal-Mart Transportation, LLC are the Defendants in the above-entitled
26 action.

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1 2. The above-entitled action was commenced against Defendants on January 30, 2017,
2 in the District Court, Clark County, Nevada; and is now pending in such Court as Case No.:
3 A-17-750231-C.

4 3. A copy of the Summons and Complaint in Case No. A-17-750231-C was served on
5 Wal-Mart Transportation, LLC, and Mr. Perez on January 31, 2017. Copies of the Summons,
6 Complaint, and Proof of Service showing that the Complaint was served on Wal-Mart
7 Transportation, LLC are attached hereto as Exhibit "A". Plaintiff's counsel has not yet received the
8 affidavit of service for Mr. Perez. Once Plaintiffs provide it to Defendants, it will be provided to the
9 Court. This Notice is filed with the Court within thirty days after service of the original Summons
10 and Complaint in the above-entitled action.

11 4. The above action is an action for damages because of a motor vehicle accident
12 wherein the amount in controversy exceeds the sum of \$75,000.00. In further support, Defendants
13 state as follows:

14 A. Ms. Johnson is alleging:

- 15 a. Neck and ongoing back injuries as a result of a motor vehicle accident;
- 16 b. \$112,000.00 in past medical bills;
- 17 c. Future lumbar surgery;
- 18 d. Future medical bills in an indeterminate amount;
- 19 e. Lost income and lost earning capacity;
- 20 f. Loss of household services; and
- 21 g. Pain and suffering.

22 B. Ms. Wilson is alleging:

- 23 a) Neck and back injuries, along with headaches as a result of a motor vehicle accident;
- 24 b) \$162,000.00 in medical bills;
- 25 c) Lost income and earning capacity;
- 26 d) Loss of household services; and
- 27 e) Pain & suffering.

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1 6. Wal-Mart Transportation, LLC is a Delaware limited liability company and its
2 principal place of business is located in the State of Arkansas.

3 7. Mr. Perez is a resident and citizen of the State of California.

4 8. There is diversity of citizenship between Plaintiffs and Defendants and this Court has
5 jurisdiction over the above entitled action pursuant to 28 USC § 1332 and 28 USC § 1441.

6 WHEREFORE, Defendants request that the above-entitled action be removed from
7 the District Court, Clark County, Nevada to this Court.

8 DATED this 21 day of February, 2017.

9
10 STEPHENSON & DICKINSON, P.C.

11
12 By: 

13 BRUCE SCOTT DICKINSON, ESQ.

14 Nevada Bar No. 002297

15 MICHAEL HOTTMAN, ESQ.

16 Nevada Bar No. 008501

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